

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JAMES MICHAEL PAPAIZIAN,

Petitioner,

v.

B.M. TRATE,

Respondent.

1:24-cv-00392-HBK (HC)

ORDER FINDING PETITIONER'S MOTIONS
FOR EXTENSION OF TIME MOOT

(Doc. Nos. 41, 42)

REPLY DUE JULY 31, 2025

Pending before the Court are Petitioner's motions seeking a further extension of time to file a response to Respondent's Motion to Dismiss Petitioner's Petition, which were respectively filed on July 2, 2025 and July 7, 2025. (Doc. No. 41, 42). On July 7, 2025, the Clerk docketed Petitioner's Response to Respondent's Motion to Dismiss. (Doc. No. 43). Petitioner's Response was signed and dated on June 25, 2025. (*Id.* at 8).

On May 27, 2025, the Court has granted Petitioner a **final** extension of time to file a response to Respondent's Motion to dismiss. (Doc. No. 40 at 1:28). The Court directed Petitioner that his response to Respondent's Motion to Dismiss must be delivered to correctional officials for mailing no later than June 26, 2025. (*Id.* at 2:6-8). Because Petitioner's Response appears to have been timely delivered to correctional officials for mailing, despite not being

1 docketed until July 7, 2025, the Court finds an extension of time in not necessary.

2 Accordingly, it is **ORDERED**:

- 3 1. Petitioner's motions for extension of time (Doc. Nos. 41, 42) are DENIED as moot.
- 4 2. The Court deems Petitioner's Response to Respondent's Motion to Dismiss (Doc. No.
- 5 43) docketed on July 7, 2025 timely filed.
- 6 3. Respondent's reply, if any, is due **no later than July 31, 2025**.

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8 Dated: July 21, 2025


HELENA M. BARCH-KUCHTA
UNITED STATES MAGISTRATE JUDGE